

SECTION 12. OPERATING PERMIT RENEWAL AND EXPIRATION

- (A) Class I or Class II operating permits being renewed are subject to the same procedural requirements, including those for public participation, that apply to initial permit issuance.
- (B) Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with Section 7, paragraph (B) and (C) of these Regulations and Standards.
- (C) The conditions of an expired permit shall continue until the effective date of a new permit, provided the permittee has complied with Section 8, subparagraph (C) (3) of these Regulations and Standards or until the application for a permit is denied. The Director shall deny the application for a permit if any of the following are true:
 - (1) The permittee is not in substantial compliance with the terms and conditions of the expired permit or with a stipulation, agreement, or compliance schedule designed to bring the permittee into compliance with the permit;
 - (2) The Department, as a result of an action or failure to act on the part of the permittee, has been unable to take final action on the application on or before the expiration date of the permit; or
 - (3) The permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of the deficiencies.

Ref: Title 129, Chapter 12, Nebraska Department of Environmental Quality